



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: McMurray

Serial No.: 10/720,947

Filed: November 24, 2003

Confirmation No.: 5270

Examiner: A. Piziali

Art Unit: 1771

For: **FUNCTIONAL DOUBLE-FACED PERFORMANCE WARP KNIT FABRIC,
METHOD OF MANUFACTURING, AND PRODUCTS MADE THERE FROM**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

AMENDMENT

In response to the Office Action mailed January 11, 2006, please amend the above-identified application as shown.

If any fees for the accompanying response are required, Applicant requests that this be considered a Petition therefor. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account 501923.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 10 of this paper.

Donaghy based on Applicant's specification fails to produce the limitations of Applicant's Claim 21. Further, it is respectfully submitted that one having Donaghy at the time of Applicant's invention would not have Applicant's disclosure. The teaching, suggestion or motivation must come from the prior art and cannot be based on hindsight from Applicant's invention. Donaghy discloses ways to warp knit fabric and achieves what Donaghy intends to achieve. Other than from Applicant's invention, Applicant's respectfully request to know were the motivation to alter Donaghy comes from?

The Applicant submits that by this amendment, he has placed the case in condition for immediate allowance and such action is respectfully requested. However, if any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,



Edward W. Rilee
Registration No. 31,869
MacCord Mason PLLC
P. O. Box 2974
Greensboro, NC 27402
(336) 273-4422

Date: April 11, 2006
File No.: 7373-004

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS
BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST-CLASS MAIL, IN AN
ENVELOPE ADDRESSED TO: COMMISSIONER
FOR PATENTS, P.O. BOX 1450, ALEXANDRIA,
VA 22313-1450, ON April 11, 2006

Donna Cottelli

Name of Depositor



Signature

April 11, 2006

Date of Signature